IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Norfolk Division

DOUGLAS I. HORNSBY, Administrator of the Estate of CYNTHIA GARY,

Plaintiff,

V.

Case No.: 2:22-cv-00427 In Admiralty

UNITED STATES OF AMERICA, et al

Defendants.

JOINT MOTION TO MODIFY SCHEDULING ORDER

Pursuant to Federal Rules of Civil Procedure 6(b) and 16(b)(4), Plaintiff Douglas I. Hornsby, Administrator of The Estate of Cynthia Gary, Defendant United States of America, and Third-Party Defendants Metro Machine Corp., d/b/a General Dynamics NASSCO-Norfolk (NASSCO), and Advanced Integrated Technologies (AIT), jointly move to modify the April 12, 2024 scheduling order (ECF No. 142), to authorize a limited adjustment of certain deadlines and limits to better accommodate necessary discovery, including the addition of two Third-Party Defendants to this lawsuit, evidence in the possession of third parties, and trial preparation.

A memorandum in support and proposed order are submitted simultaneously herewith.

[Signature Page Follows]

Dated: April 26, 2024 Respectfully submitted,

UNITED STATES OF AMERICA

JESSICA D. ABER United States Attorney

By: /s/ *Garry D. Hartlieb*

Garry D. Hartlieb, IL Bar No. 6322571

Assistant U.S. Attorney

Office of the United States Attorney 101 West Main Street, Suite 8000 Norfolk, Virginia 23510-1671

Tel: (757) 441-3173 Fax: (757) 441-6689

E-mail: garry.hartlieb@usdoj.gov

BRIAN M. BOYNTON

Principal Deputy Assistant Attorney General

By: /s/ *Malinda R. Lawrence*

Malinda R. Lawrence, ME Bar No. 004351

Darren E. Myers, NY Admitted

Trial Attorneys

United States Department of Justice

Civil Division, Torts Branch

Aviation, Space & Admiralty Litigation

175 N Street, NE, 11th Floor Washington, DC 20002

Tel: (202) 307-0033/(202) 305-8049

Fax: (202) 616-4002

E-mail: Malinda.R.Lawrence@usdoj.gov E-mail: Darren.E.Myers@usdoj.gov

Attorneys for the United States

/s/ Jennifer L. Eaton

Jennifer L. Eaton, Esq.

WOODS ROGERS VANDEVENTER

BLACK PLC

101 West Main St., Suite 500

Norfolk, Virginia, 23510 Telephone: 757-446-8600

Fax: 757-446-8670

Tux. 757 440 0070

Email: Jennifer.Eaton@wrvblaw.com

Attorney for Defendant, Advanced Integrated

Technologies, LLC

/s/ Lynn K. Brugh, IV

Lynn K. Brugh, IV, Esq. Jack A. Irvin, Esq. WILLIAMS MULLEN 200 South 10th Street, Suite 1600

Richmond, VA 23219 Telephone: (804) 420-6461 Facsimile: (804) 420-6507

Email: lbrugh@williamsmullen.com
Email: jirvin@williamsmullen.com

Attorneys for Defendant Metro Machine Corp. d/b/a General Dynamics NASSCO-Norfolk

/s/ Andrew M. Hendrick

Robert J. Haddad, Esq.
Andrew M. Hendrick, Esq.
RULOFF, SWAIN, HADDAD, MORECOCK,
TALBERT & WOODWARD, P.C.
317 30th Street

Virginia Beach, VA 23451 Telephone: (757) 671-6036 Facsimile: (757) 671-6004 Email: rhaddad@srgslaw.com Email: ahendrick@srgslaw.com

Counsel for Douglas I. Hornsby, Administrator of the Estate of Cynthia Gary

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2024, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of electronic filing (NEF) to the following counsel of record:

Robert J. Haddad, Esq. Andrew M. Hendrick, Esq. RULOFF, SWAIN, HADDAD, MORECOCK, TALBERT & WOODWARD, P.C. 317 30th Street

Virginia Beach, VA 23451
Telephone: (757) 671-6036
Facsimile: (757) 671-6004
Email: rhaddad@srgslaw.com
Email: ahendrick@srgslaw.com
Counsel for Douglas I. Hornsby,

Administrator of the Estate of Cynthia Gary

Jennifer L. Eaton, Esq. WOODS ROGERS VANDEVENTER BLACK PLC 101 West Main St., Suite 500 Norfolk, Virginia, 23510 Telephone: 757-446-8600 Fax: 757-446-8670

Email: <u>Edward.Powers@wrvblaw.com</u> Email: <u>Dustin.Paul@wrvblaw.com</u>

Attorneys for Defendant, Advanced Integrated

Technologies, LLC

Lynn K. Brugh, IV, Esq. Jack A. Irvin, Esq. WILLIAMS MULLEN 200 South 10th Street, Suite 1600 Richmond, VA 23219

Telephone: (804) 420-6461 Facsimile: (804) 420-6507

Norfolk

By: /s/ *Garry D. Hartlieb*

Garry D. Hartlieb, IL Bar No. 6322571 Assistant U.S. Attorney Office of the United States Attorney

101 West Main Street, Suite 8000 Norfolk, VA 23510-1671

Phone: (757) 441-6331 Fax: (757) 441-6689

Email: garry.hartlieb @usdoj.gov *Counsel for the United States*